

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, February 14, 2013

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Montgomery, Commissioner Callisto and Commissioner Nowak.

Minutes

The Commission approved the minutes of the open meeting of Friday, February 8, 2013.

6630-CE-308 - Application of Wisconsin Electric Power Company, as an Electric Public Utility, for Authority to Construct a New Hydroelectric Generating Facility at the Site of its Existing Twin Falls Hydroelectric Project in the Town of Florence, Florence County, Wisconsin and the Town of Breitung, Dickinson County, Michigan

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

1390-CW-102 - Application of Cottage Grove Water and Sewer Utility, Dane County, Wisconsin, for Authority to Construct a 400,000 Gallon Elevated Water Tank, Improvements to Existing Well No. 4, and Demolition of an Existing Water Reservoir

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

1490-ER-103 - Application of the City of Cumberland, Barron County, Wisconsin, as an Electric Public Utility, for Authority to Adjust Electric Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3180-WR-102 - Application of Lomira Municipal Water Utility, Dodge County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

2535-CE-100 - Application of Highland Wind Farm, LLC, for a Certificate of Public Convenience and Necessity to Construct a 102.5 Megawatt Wind Electric Generation Facility and Associated Electric Facilities, to be Located in the Towns of Forest and Cylon, St. Croix County, Wisconsin

The Commissioners discussed this matter and denied the application, filed on behalf of Highland Wind Farm, LLC (HWF), for a certificate of public convenience and necessity to construct a new wind electric generation facility. In denying the application, the Commission made preliminary determinations, including the following:

1. It is reasonable to require HWF to show compliance with the Wis. Admin. Code § PSC 128.14(3) nighttime audible noise limit of 45 dBA using a ground absorption coefficient of 0.0 in the pre-construction design modeling.
2. It is appropriate to deny the application because HWF did not provide worst-case modeling that shows compliance with the Wis. Admin. Code § PSC 128.14(3) nighttime audible noise limit of 45 dBA.
3. HWF may either request reopening of this case or file a new application if and when it can demonstrate through sound modeling using a ground absorption coefficient of 0.0 that the project as designed will not, based upon the model results, have any nonparticipating residences that do not meet the Wis. Admin. Code § PSC 128.14(3) nighttime audible noise limit of 45 dBA.

Commissioner Callisto dissented.

The Commission also discussed some of the issues presented by this application, such as noise testing protocol and post-construction noise studies, so as to provide guidance to HWF and future applicants.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion. The order shall be brought before the Commission for final review and approval.

The Commission adjourned the meeting at 11:22 a.m.

Sandra J. Paske
Secretary to the Commission